

ANY UNFUNDED LIABILITY OF THE PUBLIC BODY WITH RESPECT TO ANY PENSION PLAN (HEREINAFTER DEFINED), THEREBY UTILIZING FAVORABLE MARKET CONDITIONS THAT MAY EXIST FROM TIME TO TIME TO REDUCE THE COST OF THE PENSION PLAN TO THE PUBLIC BODY IN QUESTION OR OTHERWISE STRUCTURING AND PROVIDING FOR PENSION PLAN LIABILITY FUNDING IN A MANNER CONSISTENT WITH THE FINANCIAL PLANS OF THE PUBLIC BODY.

(B) A MUNICIPAL CORPORATION SUBJECT TO THE PROVISIONS OF ARTICLE 23A OR A COUNTY SUBJECT TO THE PROVISIONS OF ARTICLE 25A OR ARTICLE 25B THAT HAS POWER UNDER ANY PUBLIC GENERAL OR PUBLIC LOCAL LAW OR CHARTER TO BORROW MONEY AND TO EVIDENCE THE BORROWING BY THE ISSUANCE OF ITS GENERAL OBLIGATION BONDS, REVENUE BONDS OR OTHER EVIDENCES OF OBLIGATION, BY WHATEVER NAME KNOWN OR SOURCE OF FUNDS SECURED, MAY ISSUE BONDS ("PENSION LIABILITY FUNDING BONDS") FOR THE PURPOSE OF FUNDING ANY UNFUNDED PRESENT OR CONTINGENT LIABILITY OF ANY KIND UNDER ANY PENSION PLAN. FOR PURPOSES OF THIS SECTION, THE TERM "PENSION PLAN" SHALL MEAN ANY EXISTING PENSION OR RETIREMENT PLAN OR SYSTEM UNDER WHICH THE PUBLIC BODY IS DIRECTLY OR INDIRECTLY OBLIGATED TO PAY OR CAUSE TO BE PAID RETIREMENT, DISABILITY, DEATH OR OTHER BENEFITS AND THAT IS CLOSED TO NEW MEMBERSHIP. PENSION LIABILITY FUNDING BONDS ISSUED UNDER THE AUTHORITY OF THIS SECTION MAY BE ISSUED FOR THE PUBLIC PURPOSES OF:

(1) REALIZING SAVINGS WITH RESPECT TO THE AGGREGATE COST OF THE PENSION PLAN BEING FUNDED, ON EITHER A DIRECT COMPARISON OR PRESENT VALUE BASIS; OR

(2) STRUCTURING OR RESTRUCTURING PENSION PLAN COSTS IN A MANNER THAT (I) IN THE AGGREGATE EFFECTS A REDUCTION IN THE TOTAL COST OF THE PENSION PLAN AS PROVIDED IN PARAGRAPH (1) ABOVE OR (II) IS DETERMINED BY THE ISSUER TO BE IN THE BEST INTERESTS OF THE ISSUER, TO BE CONSISTENT WITH THE ISSUER'S LONG-TERM FINANCIAL PLAN, AND TO REALIZE A FINANCIAL OBJECTIVE OF THE ISSUER, INCLUDING IMPROVING THE RELATIONSHIP OF PENSION PLAN COSTS TO A SOURCE OF PAYMENT SUCH AS TAXES, ASSESSMENTS, OR OTHER CHARGES OR IMPROVING THE BENEFITS PAYABLE UNDER THE PENSION PLAN.

THE POWER TO ISSUE PENSION LIABILITY FUNDING BONDS UNDER THIS SECTION SHALL BE DEEMED ADDITIONAL AND SUPPLEMENTAL TO THE ISSUER'S EXISTING BORROWING POWER. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, PENSION LIABILITY FUNDING BONDS SHALL CONTAIN THE TERMS, CONDITIONS AND COVENANTS, BE PAYABLE FROM THE TAXES OR OTHER SOURCES AND BE ISSUED PURSUANT TO THE PROCEDURES THAT ARE APPLICABLE OR GENERALLY MADE APPLICABLE TO THE ISSUER'S GENERAL OBLIGATION BONDS, REVENUE BONDS, OR OTHER EVIDENCES OF OBLIGATION, AS THE CASE MAY BE, WHICH ARE THE SAME AS REGARDS SOURCE OF PAYMENT AS THE PENSION LIABILITY FUNDING BONDS TO BE ISSUED.

(C) NOTWITHSTANDING ANY LIMITATIONS OR OTHER PROVISIONS TO THE CONTRARY OF ARTICLES 23A, 25A, OR 25B OF THE ANNOTATED CODE